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Filing date: **06/14/2012**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Petition for Cancellation

Notice is hereby given that the following party requests to cancel indicated registration.

Petitioner Information

Name	American National Investment Advisors, LLC		
Entity	IL Limited Liability Company	Citizenship	Illinois
Address	2001 Butterfield Road Suite 500 Downers Grove, IL 60515 UNITED STATES		
Correspondence information	George E. Bullwinkel Attorney (Illinois Bar Member) 330 Big Rail Drive Naperville, IL 60540 UNITED STATES geb@bullwinkel.com Phone:630-418-2273		

Registration Subject to Cancellation

Registration No	1837021	Registration date	05/17/1994
Registrant	American National Insurance Company One Moody Plaza Galveston, TX 77550 UNITED STATES		

Goods/Services Subject to Cancellation

Class 036. First Use: 1968/07/26 First Use In Commerce: 1968/07/26 All goods and services in the class are cancelled, namely: mutual fund investment services
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Grounds for Cancellation

<i>Torres v. Cantine Torresella S.r.l.Fraud</i>	808 F.2d 46, 1 USPQ2d 1483 (Fed. Cir. 1986)
Related Proceedings	American National Insurance Company v American National Investment Advisors, Ltd., USDC NDIL No. 11-CV-4016, alleged infringement of registered trademarks
Attachments	Grounds-Cancelation.pdf (2 pages)(38816 bytes)

Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/George E. Bullwinkel/
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Name	George E. Bullwinkel
Date	06/14/2012

PETITIONER'S STATEMENT OF GROUNDS
FOR CANCELAN OF REG. NO. 1837021

1. Petitioner is an Illinois Limited Liability Company formed in November 2000 under the name VIRTUAL CAPITAL LLC. It adopted and began to use its present name, AMERICAN NATIONAL INVESTMENT ADVISORS LLC, on June 9, 2009.

2. Petitioner has standing to request cancelation of the subject Reg. No. 1837021 because

(a) Petitioner offers and provides investment advisory services, including "investment company brokerage services", under the name and mark AMERICAN NATIONAL in interstate commerce, and has done so since on or before October 2, 2009; and

(b) The Registrant, AMERICAN NATIONAL INSURANCE COMPANY, has sued Petitioner for infringement of the subject registration 1837021 in Civil Action No. 11-CV-4016, filed June 13, 2011 in the United States District Court For The Northern District Of Illinois.

3. On information and belief, registration 1837021 is null, void and of no force or effect because Registrant has never done business as an investment advisor under the name or mark AMERICAN NATIONAL at any relevant time, and at no time prior to Petitioner's commencement of business under that name and mark on or before October 2, 2009.

4. On information and belief, Registrant's registration 1837021 is also null, void and of no force or effect because Registrant procured and/or maintained this registration by means of inequitable conduct before the U.S. Patent and Trademark Office, namely, by making intentional false statements with the intent and purpose that they be relied upon, as follows:

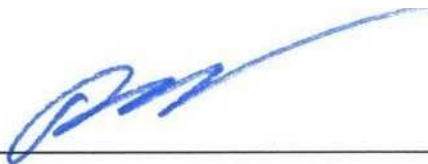
(a) On May 15, 2000, as part of its obligation to file proof of continued use of the registered mark under Section 8 of the Trademark Act, Registrant submitted a "prospectus" dated May 1, 1999 supposedly from "American National Investment Accounts, Inc." This submission was supported by a May 2, 2000 affidavit of Michael W. McCroskey, Registrant's Executive Vice President. Mr. McCroskey knew, or should have known, that Registrant's investment service subsidiary had changed its name in 1998 to SM&R GROWTH FUND INC. Thus Registrant then no longer offered any such services in interstate commerce under the name and mark AMERICAN NATIONAL, and Mr. McCroskey's affidavit was therefore false, and was relied upon by the U.S. Patent and Trademark Office in allowing the registration to continue in force.

(b) On 10 May 2004, as part of its obligation to file proof of continued use of the registered mark as part of its application to renew the subject registration, Registrant submitted a May 7, 2004 example of an internet web page. On that web page, the words and mark AMERICAN NATIONAL nowhere appear as being the source of investment services. This submission was supported by the May 10, 2004 affidavit of Ronald J. Welch, Registrant's Senior Vice President. Mr. Welch knew, or should have known, that for at least three years Registrant had not offered any investment services in interstate commerce under the name and mark AMERICAN NATIONAL. Registrant then no longer offered any such services in interstate commerce under the name and mark AMERICAN NATIONAL, and Mr. Welch's affidavit was therefore false, and was relied upon by the U.S. Patent and Trademark Office in renewing the registration.

5. For the foregoing reasons, Petitioner AMERICAN NATIONAL INVESTMENT ADVISORS LLC requests that Reg. No. 1837021 of the mark AMERICAN NATIONAL to Registrant AMERICAN NATIONAL INSURANCE COMPANY for "mutual fund investment services" be canceled, and that Petitioner be granted such other and further relief as may be just.

DECLARATION OF PETER C. CLAEYS

Peter C. Claeys, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both under 18 U.S.C. 1001, declares that he is properly authorized to execute this application on behalf of the Petitioner; and that all statements made in the foregoing PETITIONER' STATEMENT OF GROUNDS FOR CANCELATION OF REG. NO. 1837021 made on his own knowledge are true, and that all statements made on information and belief are believed to be true.



By: Peter C. Claeys, President
AMERICAN NATIONAL
INVESTMENT ADVISORS LLC

Date: June 13, 2012